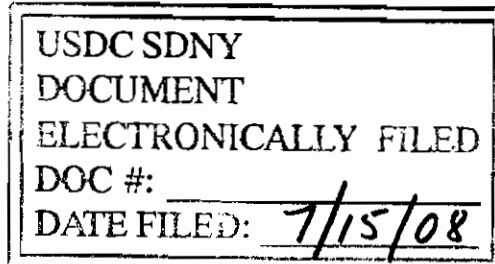


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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THE NEW YORK CITY DISTRICT COUNCIL
OF CARPENTERS PENSION FUND, et al.,

Plaintiffs,

08 Civ. 4258 (RJH)

- against -

MEMORANDUM OPINION
AND ORDER

NEW WAY GENERAL CONSTRUCTION, INC.

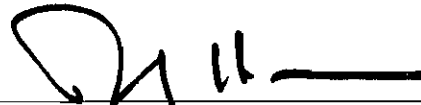
Defendant.
----- x

Plaintiffs petition the Court pursuant to Section 9 of the Federal Arbitration Act (“FAA”), 9 U.S.C. § 9, to confirm an arbitration award issued March 25, 2008. The complaint was filed on May 5, 2008, and served upon Defendant shortly thereafter. To date, Defendant has not filed an answer or opposition to Plaintiffs’ petition.

“[T]he confirmation of an arbitration award is a summary proceeding that merely makes what is already a final arbitration award a judgment of the court.” *Florasynth, Inc. v. Pickholz*, 750 F.2d 171, 176 (2d Cir. 1984). Under § 9 of the FAA, upon timely application by any party, a court *must* grant an order to confirm an arbitration award unless the award is vacated, modified, or corrected as prescribed in §§ 10 and 11 of the FAA. *See Marsillo v. Geniton*, No. 03 Civ. 2117 (TPG), 2004 WL 1207925, at *4 (S.D.N.Y. June 1, 2004). Plaintiffs’ petition to confirm the arbitration award is hereby GRANTED.

SO ORDERED

Dated: New York, New York
July 10, 2008

A handwritten signature in black ink, appearing to read 'R. J. Holwell', written over a horizontal line.

Richard J. Holwell
United States District Judge